

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

TRACY ANDERSON,

Plaintiff,

v.

TREVOR RADKE, ET AL.,

Defendants.

ORDER

15-cv-785-wmc

---

The court is in receipt of plaintiff's August 20, 2018, letter, in which he complains that correctional staff at Waupun Correctional Institute "continue to refuse to" return his "other law book, Georgetown law Journal 2015 Edition," and that withholding this book and other property has been preventing him from "focus[ing] on this case" and "interfering with [his ability to] litigat[e]." (Dkt. #82 at 1.) In particular, he also complains that correctional staff "still have some of [his] books that pertain to [his] religion," as well as a "business book." (*Id.* at 2.) Finally, he concludes that this ongoing interference, which he believes constitutes a First Amendment violation and retaliation, now requires appointment of counsel to represent him. (*Id.*)

As plaintiff acknowledges, his First Amendment claims are not before the court at this time.<sup>1</sup> However, his claim that he cannot litigate this case on his own due to "this interference" is. While the court is skeptical that the 2015 Georgetown Law Journal will meaningfully change the court's view that plaintiff is capable of litigating this case,

---

<sup>1</sup> While the court would expect that any withholding of his religious books (or other property) is not unlikely to be relevant to whether Anderson can prepare for trial in this case, the court will at least hear from Anderson on that topic unless that property is promptly returned to him or a good reason is provided for not doing so.

preparing for his deposition on August 28, and ultimately representing himself at trial, defendants may have until Monday, August 27 to respond to plaintiff's letter, as to his claimed lack of access to the Georgetown and religious books.

Finally, the court will hold a telephonic conference to address the status of trial preparations at 2:00 p.m. on Friday, August 31, 2018. Defendants will be responsible for setting up the call to chambers.

Entered this 23rd day of August, 2018.

BY THE COURT:

/s/

---

WILLIAM M. CONLEY  
District Judge